

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

REGULAR MEETING AGENDA

OCTOBER 24, 2007

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL_____

PRAYER_____

**APPROVAL OF THE MINUTES OF THE
OCTOBER 10, 2007 REGULAR MEETING**_____

**ITEMS NOT ON THE AGENDA –
SUSPENSION OF THE RULES**_____

**PUBLIC COMMENT ON ANY
PUBLIC MATTER NOT ON THE AGENDA**_____

CHIEF EXECUTIVE’S REPORT_____

SECTION I

PUBLIC HEARING

FOR THE PURPOSE OF SOLICITING COMMENTS REGARDING THE AMENDING OF THE FY 07-08 BUDGET TO CREATE BUDGET AUTHORITY FOR UNANTICIPATED REVENUE FOR THE DEPARTMENT OF DISASTER AND EMERGENCY SERVICES FROM A FEMA GRANT TO UPDATE THE BUTTE-SILVER BOW PRE-DISASTER MITIGATION PLAN TO BE PERFORMED IN ASSOCIATION WITH THE MONTANA BUREAU OF MINES AND GEOLOGY TO BE EXPENDED IN THE GENERAL FUND.

(Communication No. 07-651 is being held in Committee of the Whole) Proof of publication

SECTION II

CONSENT AGENDA

- A.
 - 1. COMMITTEE OF THE WHOLE MEETING REPORT
 - 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
 - 3. JUDICIARY COMMITTEE MEETING REPORT
 - 4. PUBLIC WORKS COMMITTEE MEETING REPORT

B. COMMUNICATIONS

1. 07-670 Marijo MacDonald, requesting use of the Civic Center Annex on Tuesdays 1/15/07 through 3/25/07 for ballroom dance lessons.
2. 07-671 Hoot Gibson and Mike Challeen, requesting permission to erect a building on East end of the Civic Center Property for Silver Bow amateur Wrestling Association
3. 07-672 John P. Walsh, Sheriff, requesting authorization for Chief Executive to sign implementation of Miscellaneous Service Agreement. **Recommendation: concur and place on file.**
4. 07-673 Debbie Petersen, requesting razing of house at 621 W. Quartz Street and putting lot up for sale.
5. 07-675 Paul Babb, Chief Executive, requesting concurrence in appointment of Rae Stephens to the Library Board. **Recommendation: concur and place on file.**
6. 07-676 Robert Mirich, regarding lighted trees in our community.
7. 07-677 Lee Phillips, Director Butte-Silver Bow Public Library, requesting authorization for Chief Executive to sign an engagement letter with J E Engineering, Inc. for Butte-Silver Bow Library Chiller Replacement Project **Recommendation: concur and place on file.**
8. 07-678 Lee Phillips, Director Butte-Silver Bow Public Library, requesting authorization for Chief Executive to sign an agreement with Hasler Meter. **Recommendation: concur and place on file.**
9. 07-679 Linda Joyce, Director MIS, requesting approval of line item budget transfers. **Recommendation: concur and place on file.**
10. 07-680 Tim Clark, Personnel Director, requesting authorization for Chief Executive to enter into contract with bargaining representatives of the Butte-Silver Bow Federation of Professional Associates, Local 4372A. **Recommendation: concur and place on file.**
11. 07-681 John C. VanDaveer, Public Works Director, requesting approval of line item budget transfers. **Recommendation: concur and place on file.**

12. 07-682 Tim Clark, Personnel Director, requesting authorization for Chief Executive to sign tentative contract with Amalgamated Transit Union, Local No. 381. **Recommendation: concur and place on file.**
13. 07-683 Linda Sajor, Director MIS, requesting authorization for Chief Executive to sign PBX Maintenance Contracts with B+C Telecom. **Recommendation: concur and place on file.**
14. 07-684 Paul Babb, Chief Executive, requesting concurrence in appointments to Fair Board. **Recommendation: concur and place on file.**
15. 07-685 John Van Daveer, Director Public Works Department, requesting approval of line item budget transfers. **Recommendation: concur and place on file.**
16. 07-686 Bill Melvin, Director Civic Center, requesting approval of line item budget transfers. **Recommendation: concur and place on file.**
17. 07-687 Lori Maloney, Clerk of the District Court, requesting authorization for Chief Executive to enter into contract with Lee's Office City. **Recommendation: concur and place on file.**
18. 07-688 Bob McCarthy, County Attorney, requesting authorization for Chief Executive to enter into contract with Community, Counseling and Correctional Services. **Recommendation: concur and place on file.**
19. 07-689 Virginia Hanson, Risk Management Coordinator, requesting to change the date of public hearing for Fema Grant from October 24, 2007 to October 31, 2007. **Recommendation: concur and place on file.**
20. 07-690 Jon Sesso, Planning Director, requesting authorization for Chief Executive to sign certificates of survey and concurrence to acquire right-of-way. **Recommendation: concur and place on file.**
21. 07-691 Rick Larson, Health Officer, regarding low quotes for soil abatement activities at 33 W. Missoula, 413 Boardman, 131 W. Copper and 1511 N. Main. **Recommendation: concur and place on file.**

SECTION III COMMUNICATIONS TO BE READ AND ACTED UPON

1. 07-674 Paul Babb, Chief Executive, regarding appointment of Mr. Rob Macioroski as Director of the Land Records Department.

**SECTION IV ORDINANCES AND RESOLUTIONS –
REFERRED TO JUDICIARY**

1. **COUNCIL BILL NO. 07-19
ORDINANCE NO. 07-19**

AN ORDINANCE CREATING A NEW CHAPTER IN THE BUTTE-SILVER BOW MUNICIPAL CODE TO BE NUMBERED CHAPTER 2.53 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) AND ENTITLED “BUTTE-SILVER BOW CEMETERY”; PROVIDING FOR THE CITY AND COUNTY OF BUTTE-SILVER BOW TO OPERATE AND MANAGE THE SUNSET SILVER BOW CEMETERY PURSUANT TO SECTION 7/35/2201, MCA 2005; PROVIDING FOR THE SUNSET SILVER BOW CEMETERY TO BE RENAMED THE BUTTE-SILVER BOW CEMETERY; PROVIDING FOR THE BUTTE-SILVER BOW CEMETERY TO BE OPERATED UNDER THE PUBLIC WORKS DEPARTMENT AND SETTING FORTH THE DUTIES AND FUNCTION FOR THE OPERATION OF THE CEMETERY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. **COUNCIL BILL NO. 07-20
ORDINANCE NO. 07-20**

AN ORDINANCE AMENDING CHAPTER 2.08 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “LOCAL GOVERNMENT EMPLOYEES”; AMENDING SECTION 2.08.070; INCREASING THE FEE FOR MEALS FOR TRAVEL FOR EMPLOYEES OF BUTTE-SILVER BOW AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. **COUNCIL RESOLUTION NO. 07-94**

THE SALE OF A CERTAIN PARCEL OF VACANT PROPERTY LOCATED IN THE 1600 BLOCK OF HANCOCK STREET, LEGALLY DESCRIBED AS LOTS 10, 11, 12, 13, AND 14 IN BLOCK 15 OF THE NORTHERN PACIFIC ADDITION, BUTTE-SILVER BOW COUNTY, MONTANA FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION V

ORDINANCES – 2ND READING

1. COUNCIL BILL NO. 07-16 ORDINANCE NO. 07-16

AN ORDINANCE AMENDING CHAPTER 9.16 OF THE BUTTE-SILVER BOW MUNICIPAL CODE ENTITLED “PARK RESTRICTIONS”; AMENDING SECTIONS 9.16.010, 9.16.020, 9.16.030, 9.16.040, 9.16.050, 9.16.060 AND 9.16.070 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); REGULATING THE PUBLIC USE AND HOURS OF USE OF THE EXTERIOR OF THE AREA AROUND THE BUS TRANSFER STATION AND THE FRONT LANDSCAPED AREA OF THE CIVIC CENTER AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL BILL NO. 07-18 ORDINANCE NO. 07-18

AN ORDINANCE AMENDING SECTION 2 OF BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI

ORDINANCES AND RESOLUTIONS FINAL READING

1. COUNCIL BILL NO. 07-15 ORDINANCE NO. 07-15

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “SPEED LIMIT;” ESTABLISHING A 15 MPH SPEED LIMIT ON WOOLMAN STREET BEGINNING AT ITS INTERSECTION WITH WYOMING STREET ON THE EAST TO JACKSON STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE

2 COUNCIL RESOLUTION NO. 07-90

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF MEADOWLARK LANE IN THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 32, TOWNSHIP 3

NORTH, RANGE 7 WEST, P.M.M. WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

3. COUNCIL RESOLUTION NO. 07-91

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE CARRUTHERS MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. COUNCIL RESOLUTION NO. 07-93

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS LOT 21 IN BLOCK 20 OF THE NORTHERN PACIFIC ADDITION OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND FINDING THE NECESSARY FACTS HEREIN.

SECTION VII

CALENDAR OF OTHER MEETINGS AND EVENTS

Oct. 31	TIFID Board	3:30PM	305 W. Mercury
Nov. 1	Civic Center	5PM	Civic Center Hospitality Room
Nov. 5	Airport Authority	Noon	Bert Mooney Airport
Nov. 6	Historic Preservation Commission	Noon	Health Department
Nov. 6	Weed Board	7PM	Weed Department
Nov. 7	Fire Advisory Council	5PM	Chief Executive's Conference Rm.
Nov. 7	Health Department	7AM	Health Department
Nov. 7	Butte Aids Support Services	7PM	Community Center

ADJOURN_____

COMMITTEE OF THE WHOLE MEETING REPORT
OCTOBER 17, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION I **INFORMATIONAL REPORT**
COMMUNICATION NO. 07-632

Karen Byrnes, URA Director, requesting time on the 10/17/07 agenda to present a report on the Urban Revitalization Agency's activities for FY 2006-2007.

Karen Byrnes, URA Director, came to the microphone informed the Council about what they have done in this past year. She had handed out two reports to the Council. One was for the Urban Revitalization Agency which is the Central Business District and the East Butte Renovation and Rehabilitation Agency. She explained each report. **It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried by a unanimous verbal vote to place Communication No. 07-632 on file.**

SECTION II INVITATION FOR BIDS

SEALED BIDS ARE HEREBY INVITED FOR ONE NEW 2007-2008 PUMPER TRUCK FOR LITTLE BASIN CREEK FIRE TRUCK. (Communication No. 07-634 being held in Committee of the Whole) **was noted and placed on file.**

Jeff Miller, Director of Fire, Service opened the one bid received from General Fire Equipment Co., 4004 Trent Avenue in Spokane, Washington, in the amount of \$258,514.00.

It was moved by Commissioner Lee, seconded by Commissioner Coleman and carried by unanimous verbal vote to refer the lone bid to the Fire Services Division for review and report back to Council.

SECTION III PUBLIC HEARING

SCHOOL DISTRICT #1 REQUESTING CLOSURE AND VACATION OF A PORTION OF WYOMING STREET BETWEEN SILVER STREET ON THE NORTH AND PORPHYRY STREET ON THE SOUTH IN THE 300-400

BLOCKS. (Petition No. 07-9 being held in Public Works Committee) Proof of publication was noted and placed on file.

J. R. Richardson, Business Manager for School District No. 1, said the purpose of their request for this street closure is that several years ago we acquired the old Quality Automotive Shop on the corner of Silver and Wyoming and in order to encompass that building now into our campus, we would like to close this portion of Wyoming Street which would allow us to make that building which has become an area for our maintenance crews to house their equipment and have their offices there.

John Harrington, Building Official, presented a staff report. Both Metro Sewer and Quest are going to require easements and accessibility to the area.

Chairman O'Leary then opened the public hearing at 7:52 PM and called for proponents first. The following came forth:

J. R. Richardson, Business Manager of Butte School District.
Karen Byrnes, Director of URA

There being no further proponents, Chairman O'Leary called for opponents. On the third and final call, there being none he closed the public hearing at 7:54PM.

SECTION IV PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING THE PRELIMINARY PLAT OF THE FLEECER VIEW – PHASE II MAJOR SUBDIVISION. (Communication No. 07-663 being held in Committee of the Whole). Proof of publication was noted and placed on file.

Steve Hess Assistant Planning Directed showed a power point. Chairman O'Leary then opened the public hearing at 8:10 PM and called for any proponents. The following came forward:

Dave Galik one of the owners.
Bob Everly, Professional engineer
Debbie Retzloff

Chairman O'Leary then called for opponents. On the third and final call there being none he called the public hearing closed at 8:25PM. The questions of the commissioners were answered at this time.

SECTION V COMMUNICATION NO. 06-454

John Rolich, Registered Sanitarian, requesting public hearing be set for 8/2/06

SECTION VI **COMMUNICATION NO. 07-486**

SECTION VII

COMMUNICATION NO. 07-515

SECTION VII **COMMUNICATION NO. 07-586**

SECTION IX

COMMUNICATION NO. 07-612

SECTION X **COMMUNICATION NO. 07-613**

SECTION XI

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SECTION XII**COMMUNICATION NO. 07-634**

John Stajcar, Assistant Equipment Foreman, Maintenance Department, requesting time on the 10/17/07 agenda for bid opening for one new 2007/2008 pumper truck for Little Basin Creek Fire Department. *Committee recommends that Communication No. 07-634 be placed on file.*

SECTION XIII**COMMUNICATION NO. 07-637**

Josh Peck, Christmas Stroll Coordinator, requesting street closures for the 17th Annual Christmas Stroll on November 30, 2007 from 6:00 PM until 10:00 PM. *Committee recommends approval of Communication No. 07-637 and place on file.*

SECTION XIV**COMMUNICATION NO. 07-651**

Virginia Hanson, Risk Management Coordinator, requesting time on 10/24/07 agenda to conduct a public hearing for unanticipated revenue from U.S. Department of Homeland Security. *Committee recommends that Communication No. 07-651 be held in abeyance.*

SECTION XV**COMMUNICATION NO. 07-663**

Lori Casey, Senior Planner, requesting public hearing be set 10/17/07 on the Preliminary Plat of the Fleecer View Phase II Major Subdivision. *Committee recommends that Communication No. 07-663 be placed on file.*

SECTION XVI**COMMUNICATION NO. 07-664**

Lori Casey, Senior Planner, requesting approval of Preliminary Plat of Fleecer View – Phase II Major Subdivision. *Committee recommends that Communication No. 07-664 be approved and placed on file.*

SECTION XVII**COMMUNICATION NO. 07-665**

Rob Macioroski, Director Land Records, requesting approval of sale and authorization of preparation of a resolution for sale of lands within the 1800 block of Hancock. *Committee recommends that Communication No. 07-665 be held in abeyance.*

SECTION XVII**COMMUNICATION NO. 07-668**

Robert A. Macioroski, Director Land Records, requesting County Attorney to prepare a resolution and deed for sale of property to John and Sheila A. Best. *Committee recommends that Communication No. 07-668 be held in abeyance.*

SECTION XIX

COMMUNICATION NO. 07-669

Donald L. Kronenberger, Sr., requesting Council grant annexation of the Fish Creek/Little Fish Creek Drainage strip off HWY 41 into the Jefferson Valley Rural Fire District. ***Committee recommends that Communication No. 0-699 be held in abeyance.***

**FINANCE AND BUDGET COMMITTEE MEETING
OCTOBER 17, 2007**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 07-638**

Judge Brad Newman, District Court, requesting approval of line item budget transfers. ***Committee approves Communication No. 07-638.***

SECTION II **COMMUNICATION NO. 07-666**

John P. Walsh, Sheriff, requesting approval of line item budget transfers.
Committee recommends approval of Communication No. 07-666.

SECTION III

EXPENDITURE APPROVAL

10/10/07	\$613,829.84
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Committee approves the above expenditures excluding Claim #2779 in the amount of \$92,058.66 and invites a representative of Pioneer Technical Services to the next Finance and Budget Meeting.

10/17/07 Claim #2779 was approved.

**JUDICIARY COMMITTEE MEETING
OCTOBER 17, 2007**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I

**COMMUNICATION NO. 07-503
COMBINED WITH
COMMUNICATION NO. 07-514**

Cheri Brownell, requesting council consider setting aside certain areas for the setting off of fireworks

John Davis, requesting restrictions be placed on the use of fireworks

Committee recommends that Communications No. 07-503 and 07-514 be held in abeyance.

SECTION II **COMMUNICATION NO. 07-598**

Joe Lee, Commissioner District 2, requesting amendment to Butte-Silver Bow Municipal Code, Chapter 9.16 – “Park Restrictions”. ***Committee recommends that Communication No. 07-598 be placed on file and cross-referenced with Council Bill No. 07-16, Ordinance No. 07-16.***

SECTION III
COUNCIL BILL NO. 07-15
ORDINANCE NO. 07-15

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B SB MC) ENTITLED :SPEED LIMIT;” ESTABLISHING A 15 MPH SPEED LIMIT ON WOOLMAN STREET BEGINNING AT ITS INTERSECTION WITH WYOMING STREET ON THE EAST TO JACKSON STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 07-15, Ordinance No. 07-15 be placed on final reading and passed.*

SECTION IV

COUNCIL BILL NO. 07-16 ORDINANCE NO. 07-16

AN ORDINANCE AMENDING CHAPTER 9.16 OF THE BUTTE-SILVER BOW MUNICIPAL CODE ENTITLED "PARK RESTRICTIONS"; AMENDING SECTIONS 9.16.010, 9.16.020, 9.16.030, 9.16.040, 9.16.050, 9.16.060 AND 9.16.070 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); REGULATING THE PUBLIC USE AND HOURS OF USE OF THE EXTERIOR OF THE AREA AROUND THE BUS TRANSFER STATION AND THE FRONT LANDSCAPED AREA OF THE CIVIC CENTER AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 07-16, Ordinance No. 07-16 be placed on second reading and passed.*

SECTION V

COUNCIL BILL NO. 07-18 ORDINANCE NO. 07-18

AN ORDINANCE AMENDING SECTION 2 OF BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 07-18, Ordinance No. 07-18 be moved to second reading and passed.*

SECTION VI

COUNCIL RESOLUTION NO. 07-90

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF MEADOWLARK LANE IN THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 32, TOWNSHIP 3 NORTH, RANGE 7 WEST, P.M.M. WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN. *Committee recommends that Council Resolution No. 07-90 be placed on final reading and passed.*

SECTION VII

COUNCIL RESOLUTION NO. 07-91

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE CARRUTHERS MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT

HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 07-91 be placed on final reading and passed.*

SECTION VIII

COUNCIL RESOLUTION NO. 07-92

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE FLEECER VIEW PHASE II MAJOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 07-92 be held in abeyance.*

SECTION IX

COUNCIL RESOLUTION NO. 07-93

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS LOT 21 IN BLOCK 20 OF THE NORTHERN PACIFIC ADDITION OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND FINDING THE NECESSARY FACTS HEREIN. *Committee recommends that Council Resolution No. 07-93 be placed on final reading and passed.*

SECTION X

CLAIM APPROVAL

2083	Eva Parke	\$2,821.19	Redeem Tax Assg.
2567	Bernard Couveau	\$1,000.00	Street Opening Bond Refund
2568	Judy Seymour	\$200.00	Demo Bond Refund
2703	Eric Rossiter & Melissa Kindt	\$9.00	Redeem Tax Assg.

Committee recommends approval of above claims

**PUBLIC WORKS COMMITTEE MEETING
OCTOBER 17, 2007**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Public Works Committee, respectfully recommend as follows:

SECTION I

PETITION NO. 07-6

John Harrington, Building Official, requesting on behalf of Three Dog Holdings, Inc. to close and vacate a portion of Meadowlark Lane in SE ¼ of Section 32, T3N, R7W. ***Committee recommends to hold in abeyance and cross reference to Council Resolution No. 07-90.***

SECTION II

PETITION NO. 07-9

John Harrington, Building Official, requesting on behalf of Butte School District #1 to close and vacate a portion of Wyoming South of Silver Street. ***Committee recommends that Petition No. 07-9 be held in abeyance.***

SECTION III

COMMUNICATION NO. 07-165

Cindi Shaw, Commissioner District 11, regarding request for review of traffic concerns on E. Woolman Street. ***Committee recommends that Communication No. 07-165 be held in abeyance and cross referenced with Council Bill No. 07-15, Ordinance No. 07-15.***

SECTION IV

COMMUNICATION NO. 07-642

Joseph E. Lee, Commissioner District #2, requesting traffic study be conducted at intersections of State and Sherman and State and Banks Streets. ***Committee recommends that Communication No. 07-642 be held in abeyance. Traffic study will be done by the Public Works Department.***

SECTION V

COMMUNICATION NO. 07-654

Mike Sheehy, Commissioner District 10, requesting Mercury Street and Ohio Street be made a 4-way stop. ***Committee recommends that Communication No. 07-654 be held in abeyance. Traffic study will be done by the Public Works Department.***

SECTION VI

COMMUNICATION NO. 07-655

Mike Sheehy, Commissioner District 10, requesting a stop sign on Iron and Nevada Streets. *Committee recommends that Communication No. 07-655 be held in abeyance. Traffic study will be done by the Public Work Department.*